

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FT TO 9.5 FT FOR A PROPOSED SCREEN ROOM; (FRANCISCO RAMIREZ, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY:  Earnest McDonald **CONTACT:** Earnest McDonald **EXT.** 7430

Agenda Date 08-22-03 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FT TO 9.5 FT FOR A PROPOSED SCREEN ROOM; (FRANCISCO RAMIREZ, APPLICANT); OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FT TO 9.5 FT FOR A PROPOSED SCREEN ROOM; (FRANCISCO RAMIREZ, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District 5, McLain)

(Earnest McDonald, Principal Coordinator)

GENERAL INFORMATION	FRANCISCO RAMIREZ, APPLICANT 2666 CAHILL WAY LAKE MARY, FL 32746	PUD DISTRICT, LDC SECTION 30.451 (DEVELOPMENT STANDARDS FOR PUD)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO BUILD A 228 SF (12 FT X 19 FT) SCREEN ROOM TO THE REAR OF AN EXISTING HOME; THE SCREEN ROOM WOULD ENCROACH 10.5 FT INTO THE 20 FT MINIMUM REAR YARD SETBACK ESTABLISHED FOR THE CHASE GROVES PUD. • A REAR YARD SETBACK VARIANCE FROM 20 FT TO 9.5 FT IS THEREBY REQUESTED. • A MASONRY SUBDIVISION WALL ABUTS THE REAR OF THE SUBJECT PROPERTY, SEPARATING IT FROM CASA VERDE BOULEVARD. • THERE IS NO RECORD OF PREVIOUSLY GRANTED VARIANCES OR SPECIAL EXCEPTIONS FOR THIS PROPERTY. HOWEVER, THE BOA HAS GRANTED SIMILAR VARIANCES WITHIN THE CHASE GROVES PUD. 	
STAFF FINDINGS	<ul style="list-style-type: none"> • THE EXISTING HOME HAS AN L-SHAPED CONFIGURATION, WHERE THE GARAGE PROJECTS 	

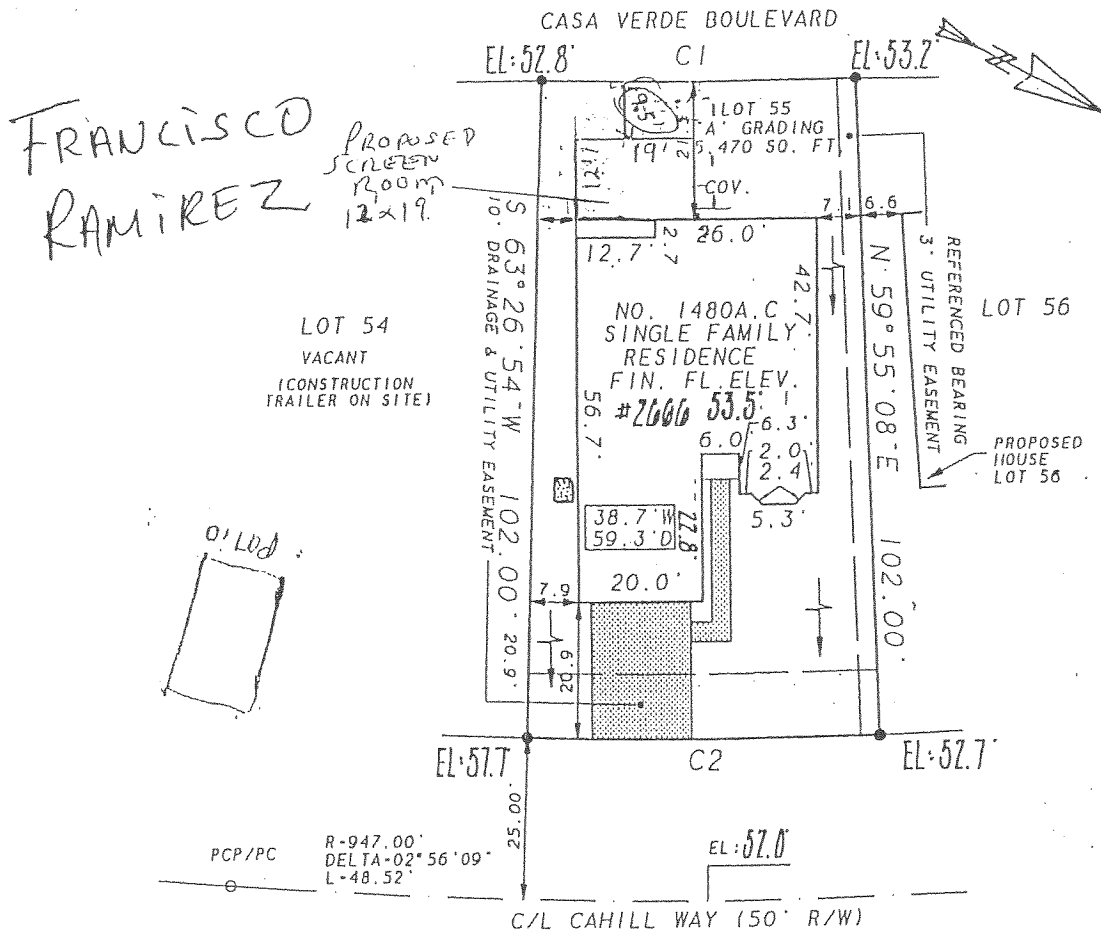
	<p>BEYOND THE LIVABLE AREA OF THE HOUSE. THIS HAS RESULTED IN THE REDUCTION OF BUILDABLE AREA IN THE REAR YARD AND THE RELEGATION OF THE SAME TO THE FRONT YARD. THIS IS A CIRCUMSTANCE COMMONLY ASSOCIATED WITH L-SHAPED HOMES, AND THE APPLICANT WOULD RETAIN REASONABLE USE OF THE PROPERTY SINCE THE OPPORTUNITY EXISTS TO BUILD AN ADDITION TO THE FRONT OF THE HOME WITHOUT A VARIANCE.</p> <ul style="list-style-type: none">• FOR THESE REASONS, STAFF BELIEVES THE GRANT OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE CHASE GROVES PUD BY FURTHERING A TREND OF ENCROACHMENT INTO THE MINIMUM REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF A HARDSHIP.• THE REQUESTED VARIANCE WOULD NOT BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY. REASONABLE USE OF THE PROPERTY WOULD BE RETAINED WITHOUT THE GRANT OF THE REQUESTED VARIANCE AS PREVIOUSLY STATED.• THE REQUESTED VARIANCE WOULD NOT BE COMPLIANT WITH THE LAND DEVELOPMENT CODE AND WOULD POTENTIALLY INCREASE THE BULK OF STRUCTURES BEYOND ESTABLISHED LIMITS WITHIN THE NEIGHBORHOOD.
STAFF RECOMMENDATION	<ul style="list-style-type: none">• STAFF RECOMMENDS DENIAL OF THE REQUESTED REAR YARD SETBACK VARIANCE FROM 20 FT TO 9.5 FT.• STAFF BELIEVES THE APPLICANT HAS FAILED TO DEMONSTRATE A HARDSHIP AND REASONABLE USE OF THE PROPERTY COULD BE RETAINED WITHOUT THE GRANT OF A VARIANCE.• IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITION:<ul style="list-style-type: none">○ ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED SCREEN ROOM DEPICTED ON THE ATTACHED SITE PLAN.

Herx & Associates Inc.

Professional Land Surveyors

1230 Douglas Avenue Suite 320, Longwood, Florida. 32779 (407)788-8808
Member of the Florida Society of Professional Land Surveyors, and Florida Land Surveyors Council.

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	03°31'47"	820.00'	50.52'	25.27'	50.51'	N 28°18'56"W
C 2	03°31'47"	922.00'	56.80'	28.41'	56.79'	S 28°18'57"E



#2666 CAHILL WAY
Chase Grove Unit 6

LEGAL DESCRIPTION: Lot 55 "Chase Groves Unit 6" according to the plat thereof as recorded in Plat Book 44, at pages 29-31 of the Public Records of Seminole County, Florida.

FLOOD HAZARD DATA: The Parcel shown hereon lies within Flood Zone "C", according to the Flood Insurance Rate Map Community Panel Number 2289 0045B. Dated 5/5/81.

SETBACKS:
Front 20' Rear 20'
Side 5' Corner 20'

Note: Bearings shown hereon are referenced to the Northerly lot line of Lot 55 as being S 59°55'08"W.

ral Notes:

is a Boundary Survey performed in the field on

9-30-93

Legend

COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 3

TWP: 20

RNG: 30

DEVELOPMENT:		Chase Groves Unit 6				DEVELOPER:		Laurel Homes							
LOCATION:		E side of Casa Verde Boulevard, between C-46A and Old Lake Mary Boulevard 102 lots													
FILE#:				BA:				SP:				BCC:			
P&Z:															
PB	44	PG	29, 31	Lot		Blk		Parcel		DBA		Comm Dist			
DEVEL. ORDER #:				87-0012				TAX PAR. I.D. #:							
SIDEWALKS: 4' wide on both sides								SETBACK REQUIREMENTS							
								FY:	20'	SIDE ST.:		SY:	0*- 10'**	RY:	20'
ROAD TYPE: (CURB & GUTTER OR SWALE)								MAIN STRUCTURE OTHER: *10' minimum between buildings **Side street: with driveway - 20'; without driveway - 15'							
COMMENTS OTHER:								ACCESSORY STRUCTURE SETBACKS:							
Not flood prone.								SY:	0-10'		RY:	10'			
				ACCESSORY STRUCTURE OTHER:											

		IMPACT FEES	
		SCREEN:	ORD
		TRAFFIC ZONE:	23
		LAND USE:	1
		1. ROAD-CO. WIDE	ORD
		2. ROAD-COLL.	ORD
		3. LIBRARY	ORD
		4. FIRE	ORD
		5. PARK	
		6. SCHOOL	ORD
		7. LAW	
		8. DRAINAGE	C-200.00
		TOTAL	\$2,657.00
		REMARKS: Curb & gutter; sidewalks required	

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.

VARIANCE
APPLICATION TO THE SEMINOLE COUNTY
BOARD OF ADJUSTMENT

COPY

APPLICANT: FRANCISCO RAMIREZ

COMPLETE MAILING ADDRESS: 2666 CAHILL WAY, LK MARY, FL. 32746

PHONE: WORK: _____ HOME: 407-324-1154 FAX: _____

CELL PHONE: _____ Email: _____

PROPERTY OWNER OF RECORD: F. RAMIREZ

SITE OF REQUEST: 2666 CAHILL WAY

STATEMENT OF HARDSHIP: 21.5 EXISTING REAR YARD ALLOWS NO
Room FOR SCREEN ENCLOSURE AS OTHERS HAVE. SETBACK IS 20'

REQUEST: REDUCE REAR YARD SETBACK FROM 20' TO 9.5'

MANY HOMEOWNERS IN CHASE GROVES HAVE RECEIVED SIMILAR VARIANCES.

LEGAL DESCRIPTION OF PROPERTY: LOT 55 CHASE GROVES UNIT 6
P.B. 44 PGS 29-31

TAX PARCEL ID NO. 03-20-30-513-0000-0550

KNOWN CODE ENFORCEMENT VIOLATIONS ON PROPERTY: —

EACH APPLICATION WILL BE ACCOMPANIED BY THE FOLLOWING:

Applicant must be the property owner. Someone other than the property owner may act on the property owner's behalf at the public hearing; however, a letter of authorization from the property owner must be submitted to the County. One 8.5" X 14" site plan and application fee.

SIGNATURE OF APPLICANT: Francisco Ramirez DATE: 7/2/03

FOR OFFICE USE ONLY			
FEE: <u>150⁰⁰</u>	CK# <u>1596</u>	RECEIPT# _____	DATE _____
ZONING DISTRICT: <u>PUD</u>		_____	
FURTHER DESCRIBED AS: _____			
_____		LOT SIZE: _____	
PROCESSING:			
A. LEGAL AD TO NEWSPAPER _____ / _____		B. NOTICE TO PROPERTY OWNERS _____	
C. PLACARDS / NOTICE _____ / _____		D. PROJECT NO. <u>03 30000104</u>	
E. BOARD ACTION / DATE _____ / _____		F. LETTER TO APPLICANT _____	
G. PUD SETBACKS _____			

INITIAL CONFERENCE N/A

BCC DISTRICT 5

PLANNER _____

FILE NO. BV 2003-101

Contact:
Rick ZAPP 4/322-6149

MEETING DATE August 25, 2003

I:\pl\projects\boa\master forms & lists\boa applications\variance_5_13_02.doc

* 12 x 19 screen room



Francisko Ramirez 2666 Cahill Way



0 150 300 600 Feet